

SEAN P. PATTERSON, Esq.
STATE BAR NUMBER 5736
232 Court Street
Reno, Nevada 89501
(775) 786-1615

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3-26-20

Attorney for Debtor

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA

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IN RE:
MICHELLE I. PEACON

Case No. BK-N-19-50853-BTB
(Chapter 13)

MOTION TO MODIFY
CONFIRMED CHAPTER 13 PLAN

Hearing Date: 5-28-20
Hearing Time: 3:00 p.m.
Time Required: 5 Minutes

Debtors.

COMES NOW Debtor, by and through counsel, SEAN P. PATTERSON, Esq. and apply to this Court for a post-confirmation modification of his Chapter 13 Plan, pursuant to 11 U.S.C. §1329, for reasons more fully set forth below.

POINTS AND AUTHORITIES

The debtors filed a Chapter 13 bankruptcy on July 22, 2019. The filing of the bankruptcy was to allow the debtor to reorganize her unsecured debt and "cram-down" her vehicle and furniture. The plan was confirmed on July 14, 2015.

The debtor had some changes since the filing of this case. Miss Peacon changed jobs. As a result, she is not making as much money as she was at the time of filing. The debtor's amended Schedules "I" and "J" were filed prior to this motion.

1 Section 1329 allows for post-confirmation modification, for
2 good cause shown, for a period of a maximum of five (5) years from
3 the time the first payment under the original plan was due.
4 Counsel requests of this Court that the Plan be modified as
5 follows: Beginning in February, 2020, the plan payment shall be
6 to \$440 for the remainder of the plan. Unsecured creditors will be
7 getting the less money under this proposal as than the confirmed
8 plan.

9 The debtor shall not turnover any tax refunds for the life of
10 the plan. Counsel requests attorneys fees of \$300.00 for this
11 motion.

12 RESPECTFULLY SUBMITTED this 26th day of March, 2020.

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15 SEAN P. PATTERSON, Esq.

16 Read and Approved by:

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18 MICHELLE I. PEACON
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DECLARATION IN SUPPORT OF FEES

1. I am the attorney in the above-referenced matter.

2. I am duly licensed as an attorney by the State of Nevada.

3. I have prepared the above motion and state under penalty of perjury that the representations of the facts are true and correct to the best of my knowledge.

4. My hourly rate for this case is \$300.00. It is anticipated that I will spend 1.5 hours in total working on this motion. This time includes, but is not limited to: discussing the case with the client, amending the petition, drafting the motion to modify, drafting the Notice of Motion, setting the hearing for calendar, court time, reviewing the Trustee's objection, and reviewing the order to amend the plan.

Dated this 26th day of March, 2020.


SEAN P. PATTERSON, Esq.